

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

THOMAS M. O'CONNELL (NYSBN 1501950)
DANIEL R. KALEBA (CABN 223789)
Assistant United States Attorneys

150 Almaden Boulevard, Suite 900
San Jose, CA 95113
Telephone: (408) 535-5061
Fax: (408) 535-5066
E-Mail: thomas.m.oconnell@usdoj.gov
daniel.kaleba@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00558 LHK
)	
Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXCLUDING TIME
v.)	
)	
MICHAEL LEON RUELAS and)	
LORENZO ISRAEL GARCIA,)	
)	
Defendants.)	

UNITED STATES OF AMERICA,)	No. CR 11-00559 EJD
)	
Plaintiff,)	
)	
v.)	
)	
LORENZO ISRAEL GARCIA,)	
)	
Defendant.)	

//

//

1 UNITED STATES OF AMERICA,

No. CR 11-00560 DLJ

2 Plaintiff,

3 v.

4 MICHAEL LEON RUELAS,

5 Defendant.

6
7 UNITED STATES OF AMERICA,

No. CR 11-00706 DLJ

8 Plaintiff,

9 v.

10 MIGUEL ANGEL GONZALEZ and
11 MICHAEL LEON RUELAS,

12 Defendants.

13 On November 3, 2011, the court ordered the above cases related pursuant to
14 Criminal Local Rule 8-1. The first case, charging defendants MICHAEL LEON RUELAS (CR
15 11-00558 LHK) was set for November 16, 2011 before Judge Koh. His co-defendant,
16 LORENZO ISRAEL GARCIA is set for December 7, 2011, also before Judge Koh. The
17 remaining captioned cases are scheduled before Judges Jensen and Davila.

18 The cases were all put over so that so that the discovery process could be
19 commenced and defense counsel would have sufficient time to review the materials and confer
20 with their clients. However, in order to comply with Local Rule 8-1, the cases must be
21 consolidated to the same dates. Moreover, discovery is still not complete. The parties therefore
22 hereby stipulate and agree to continue the matters until December 14, 2011, and to exclusions of
23 time under the Speedy Trial Act, and that said exclusions of time are appropriate based on the
24 defendants' need for effective preparation of counsel.

25
26 SO STIPULATED:

MELINDA HAAG
United States Attorney

27
28 DATED: November 16, 2011

_____/s/_____
THOMAS M. O'CONNELL
Assistant United States Attorney

1 DATED: November 16, 2011

_____/s/_____
DIANA WEISS
Counsel for Gonzalez

3 DATED: November 16, 2011

_____/s/_____
LARA VINNARD
Counsel for Ruelas

5 DATED: November 16, 2011

_____/s/_____
JACK GORDON
Counsel for Gonzalez

8 Accordingly, for good cause shown, the Court HEREBY ORDERS that the
9 above cases are continued until December 14, 2011. The Court further finds that based on the
10 defendant's need for effective preparation of counsel, the ends of justice served by granting the
11 requested continuance outweigh the interest of the public and the defendant in a speedy trial.
12 The failure to grant the requested continuance would deny defense counsel reasonable time
13 necessary for effective preparation, taking into account the exercise of due diligence, and would
14 result in a miscarriage of justice. The Court therefore concludes that this exclusion of time
15 should be made under 18 U.S.C. §§ 3161(h) (7)(B)(iv).

17 SO ORDERED.

19 DATED: 11/17/11

18 

LUCY H. KOH
United States District Judge